

REMARKS

This amendment is responsive to the Office Action of December 24, 2008. Reconsideration and allowance of claims 1-20 are requested.

The Office Action

Claims 1-4, 8-10, 12, 13, and 15 stand rejected under 35 U.S.C. § 103 over Allen (US 2002/00097239) as modified by Gilligan (US 5,374,942).

Claim 5 stands rejected under 35 U.S.C. § 103 over Allen as modified by Dobbelaar (US 6,538,672).

Claim 6 stands rejected under 35 U.S.C. § 103 over Allen as modified by Gargi (US 6,915,489).

Claim 7 stands rejected under 35 U.S.C. § 103 over Allen in view in Takabayashi (US 2003/0158476).

Claims 11 and 14 stand rejected under 35 U.S.C. § 103 over Allen in view of Sezaki (US 6,078,313).

**The Claims Distinguish Patentably
Over the References of Record**

Claim 1 calls for selecting a value for the third attribute by scrolling substantially parallel to an imaginary z-axis positioned on a diagonal between and in a common plane with the x- and y-axes. Figure 4a of Allen is "a diagram showing the structure of an illustrative object generated by the applications program under control of the debugger program". Figure 4, referenced by the Examiner, does not relate to or demonstrate scrolling. To move along axis 1, Allen slides slider 33 left or right (Figure 3A, paragraph 23 and 24). To move along axis 2, the user moves slider 32 left-right (or possibly vertically, paragraph 23 does not specify whether axis 2 correlates to the horizontal or vertical axis of slider 32). To move along axis 3, one moves the slider 32 vertically. The pairing of the sliders 32 and 33 to the axes in Allen is not completely clear. It appears that the axis which corresponds to each slider movement may, in some embodiments, be selectable. In any case, one scrolls along axes 1, 2, or 3 of Allen by moving a slider either vertically or horizontally. Allen fails to describe any slider configured to slide parallel to axis 3 as illustrated in Figure 4A. Rather than sliding a slider in the direction parallel to axis 3 in Figure 4A

of Allen, one scrolls in the axis 3 direction by moving vertically (or horizontally?). Stated another way, sliders 32 and 33 of Allen scroll relative to three axes by moving vertically or horizontally with sliders for two of the axes sliding parallel to each other, with sliding motion by the two sliders in the same direction causing changes in the display relative to two different axes.

Gilligan does not cure this shortcoming of Allen. It is submitted that the description of z-axis scrolling at column 1, lines 13-25 is so abbreviated that it is somewhat misleading. This paragraph of Gilligan addresses the supplementary control means 40 which can be actuated in various ways including ways which alter the meaning of the information from the x-y transducer 12 (column 4, line 37 - column 6, line 47). Thus, this embodiment of Gilligan again uses movement of the mouse 10 in two orthogonal directions in order to connote motion in three orthogonal directions. There is no suggestion that moving the mouse on a diagonal between the x- and y-axes would, could, or should cause scrolling along a third axis. To the contrary, it is submitted that when the mouse of Gilligan moves diagonally, such motion connotes diagonal movement across the x-, y- plane and not movement in a z-direction.

Accordingly, it is submitted that claim 1 and claims 2-7 and 10-12 dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 8 calls for scrolling substantially parallel to a horizontal x-axis and a vertical y-axis of a display. As illustrated in Figures 3A and 4A of Allen, it appears that Allen scrolls along vertical axis 1 by moving the slider 33 horizontally and relative to horizontal axis 2 by moving the slider 32 vertically.

Moreover, claim 8 calls for selecting an additional attribute by scrolling substantially parallel to an imaginary z-axis positioned between the x-axis and the y-axis. By contrast, slider 32 of Allen appears to scan horizontally in order to connote motion along axis 3 which is depicted as diagonal in Figure 4A. Even if one changes the correlation between the axes and sliders 32 and 33, it is clear that selecting among the subranges will be achieved by scrolling slider 32 vertically and by scrolling sliders 32 and 33 horizontally. Allen fails to disclose or fairly suggest a slider which scrolls parallel to axis 3 denoted in Figure 4A. Gilligan fails to cure this

shortcoming of Allen. Allen discloses a mouse which has the conventional, orthogonal x- y- outputs and a mechanism for changing the meaning of the x- and/or y- output to cannote a z- direction. However, regardless whether Gilligan is denoting the x-, y-, or z-axis, motion is along one of two orthogonal axes. Gilligan does not disclose any way or make any suggestion of denoting movement along a z-axis or axis 3 of Allen by moving diagonally.

Accordingly, it is submitted that claim 8 and claims 9 and 13-17 dependent therefrom distinguish patentably over the references of record.

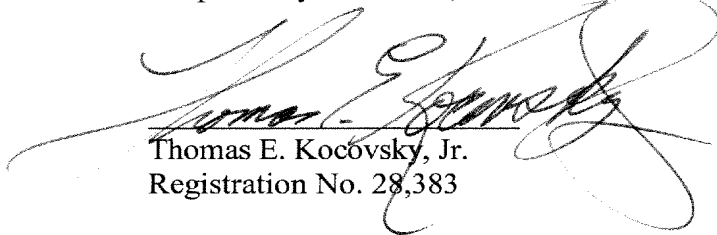
New claims 16 and 17 have been added to emphasize various distinctions between the present application and the cited references more strongly.

New claims 18-20 have been added to emphasize scrolling in the third dimension by moving along a direction diagonal to the other directions.

CONCLUSION

For the reasons set forth above, it is submitted that claims 1-20 distinguish patentably and unobviously over the references of record. An early allowance of all claims is requested.

Respectfully submitted,



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